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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/979,499	11/23/2001	Joel Kligman	894-8/MBE	6048

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EXAMINER

POPE, DARYL C

ART UNIT PAPER NUMBER

2612

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/979,499

Applicant(s)

KLIGMAN ET AL.

Examiner

DARYL C. POPE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-20,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13-20,23 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/15/2003
- ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_

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## DETAILED ACTION

### **ART REJECTION:**

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11,13-14,16,19-20, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Grube et al(6,031,455).

-- In considering claims 11 and 23, the claimed subject matter that is met by Grube et al(Grube) includes:

1) the one or more peripheral units is met by the subscriber units(22,36,38);  
2) the main control unit is met by the controller(30);  
3) the entering data into a digital processing device to program the main control unit is met by programming instructions being processed by the digital signal processor(70) of the controller(see: column 4, lines 50 et seq);

4) the communicating data from the main control unit to the peripheral devices to configure and control the peripheral devices is met by the controller providing instructions to the processing unit(50) to control the subscriber units(22,36,38).

-- With regards to claim 13, the controlling a transfer of data over a communications link is met by data being transferred via wireless communication path such as satellite communication system as seen in figure 1.

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-- With regards to claim 14, the keypad or display is met by the keypad or display of the subscriber units(22) which are cellular telephones which inherently includes keypads/displays(see: column 2, lines 65 et seq).

-- With regards to claim 16, the processing a status signal from one or more neighboring sensors to verify an alarm condition is met by the controller(18) processing the environmental condition on a group basis(see: column 3, lines 40-45).

-- With regards to claim 19, the peripheral units including sensors comprising carbon monoxide detectors is met(see: column 3, lines 4-10).

-- With regards to claim 20, the peripheral unit including a preprogrammed ID code is met(see: column 5, lines 11-36).

-- With regards to claim 24, the main control unit requesting status signal from one or more peripheral units to verify an alarm condition is met by the controllers(18,30) processing environmental conditions on a group basis so as to determine hazardous conditions in a geographic area(see: column 3, lines 40 et seq).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al(Grube).

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-- In considering claim 15, upon processing of alarm conditions by the controllers(18,30), it would have been obvious to one of ordinary skill in the art at the time the invention was made that the status of the particular sensor that indicated the alarm condition would have been verified by request of a status signal by the controller, since this would have been a necessary step in determining whether or not processing on a group or regional basis would have been necessary before issuance of warning indication for a particular region as taught by Grube(see: column 3, lines 26-57).

-- With regards to claim 18, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a transceiver that communicates at 2.4 GHz, or any other frequency as desired, since one of ordinary skill in the art would have recognized the most optimal frequency range that would have allowed the best possible communication of signals.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al(Grube) in view of Addy et al(Addy).

-- Claim 17 recites subject matter met by Grube as discussed in claim 11 above, except for:

1) the control unit being programmable via a keypad built into the main control unit.

Use of keypads for programming control units is well known in the art. In related art, Addy discloses a wireless system which utilizes a keypad(18) built into a control unit for inputting data into the control unit. Since the use of keypads built into control units is well known as seen by Addy, it would have been obvious to one of ordinary skill in the

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art at the time the invention was made to incorporate a keypad into the processing controllers(18,30) of Grube, since this would have facilitated programming functions of the processing units of the controllers.

6. Claims 1,3,7 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kail, IV(6,940,403) in view of Addy et al(6,243,010).

-- In considering claim 1, the claimed subject matter that is met by Kail, IV(Kail) includes:

1) the one or more peripheral units is met by the subscriber units portable monitoring unit(12);

2) the main control unit comprising an transceiver is met by the central monitoring device which communicates with the units(12) via wireless communication link(16) via transceiver(50, column 5, lines 36-40);

3) the transceiver of the one or more peripheral units to both send a signal to the main unit and for receiving data from the main unit for configuring or controlling the devices is met by the transceiver(26) of the units(12, column 5, lines 10-15) which allow intercommunication with the unit(14) so as to communicate alarm data to the device(14) and as well to receive programming instructions from the device(14, column 6, lines 20-47).

**- Kail does not show:**

1) Use of RF transceivers in the peripheral and control units.

In related art, Addy et al(Addy) teaches a monitoring system which utilizes RF transceivers for the purpose of communicating signals between sensors(21) and control

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unit(44) in the system. Although Kail does not specifically teach use of RF transceivers, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate RF transceivers of Addy into the peripheral and main units, since RF transceivers would have provided an inexpensive and well known means of providing wireless communications in the system of Kail.

-- With regards to claim 3, the communicator for controlling a transfer of data between the system and a remote location over a communications link is met by the is met by the computer(60) which communicates with and oversees the operations of the units(see: column 5, lines 45-54).

-- With regards to claim 7, the main control unit being programmable via a keypad built into the main control unit is met by the terminal(52).

-- With regards to claim 8, upon incorporation of the RF transceivers into the system of Kail as discussed in claim 1 above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a transceiver that communicates at 2.4 GHz, or any other frequency as desired, since one of ordinary skill in the art would have recognized the most optimal frequency range that would have allowed the best possible communication of signals.

-- With regards to claim 9, although Kail does not disclose the specific type of sensors of the peripheral units, use of various types of sensors for a remote monitoring system is well known in the art. In related art, Addy discloses a monitoring system which utilizes various remote sensors(21) including PIR, shock, smoke, etc(see: column 5, lines 16-19). Since use of various sensors for a monitoring system is well known as

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seen by Addy, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate any of the above stated sensors of Addy into the sensors of Kail, since the system of Kail already desires to monitor the surrounding environments of the units(12), and therefore use of the sensors of Addy would have allowed the units(12) of Kail be implement in any of a variety of situations to monitor various types of environments.

-- With regards to claim 10, although not specifically taught by Kail, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the identification codes of the sensors of Addy(see: column 5, lines 27-51) into the units(12) of Kail, since this would have been necessary to distinguish signals from each particular unit.

7. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kail, IV(Kail) in view of Addy et al(Addy) and Grube et al(Grube).

-- With regards to claims 4-6, although not specifically taught by Kail and Addy, use of Keypad or dsplays for entering information and displaying information from a main control unit being contained in a remote unit comprising a cordless telephone handset, request of a status signal from a sensor to verify an alarm condition, and as well, processing a status signal from one or more neighboring sensors to verify an alarm condition is well known in the art.

In related art, Grube teaches use of subscriber units including cellular telephones which inherently include keypads and displays(not shown)(see: column 2, lines 63 et seq), and as well requesting of status signals to verify alarm conditions from

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neighboring sensors(see: column 3, lines 26-57). Since the use of these above stated limitation is well known as taught by Grube, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate these features into the system of Kail in view of Addy, since keypad/displays would have facilitated intercommunication and dissemination of information between the main unit and the units(12), and as well verification of alarm conditions via status requests of the indicating sensor, as well as neighboring sensors would have helped avoid the occurrence of false alarms being indicated.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-TH 9:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE HORABIK can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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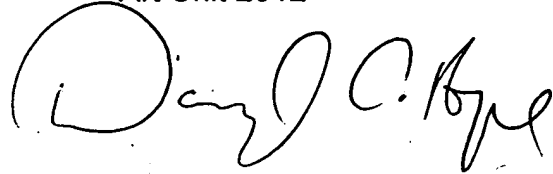
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Daryl C. Pope

May 17, 2006

DARYL C POPE  
Primary Examiner  
Art Unit 2612

A handwritten signature in black ink, appearing to read "Daryl C. Pope". The signature is written in a cursive style with a large, prominent initial "D".